

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of a Determination of Special	)	
Contemporary Resource Planning Issues to be	)	
Addressed by The Empire District Electric	)	File No. EO-2015-0042
Company in its Next Triennial Compliance	)	
Filing or Next Annual Update Report	)	

**EMPIRE’S COMMENTS AND OBJECTIONS REGARDING  
SUGGESTED SPECIAL CONTEMPORARY RESOURCE PLANNING ISSUES**

COMES NOW The Empire District Electric Company (“Empire” or “Company”), by and through the undersigned counsel, and, pursuant to Rule 4 CSR 240-22.080(4)(B), respectfully states as follows to the Missouri Public Serve Commission (“Commission”) regarding the special contemporary resource planning issues suggested by the Staff of the Commission (“Staff”), the Missouri Office of the Public Counsel (“OPC”), and the Missouri Department of Economic Development – Division of Energy (“DE”):

**Introduction**

This file was opened to facilitate the process established by Rule 22.080(4) regarding evolving electric resource planning issues – or special contemporary issues. On September 15, 2014, Staff filed its suggested special contemporary resource planning issues for Empire, as did OPC and DE. Pursuant to Rule 22.080(4)(C), by no later than November 1, 2014, this Commission must issue an order containing a list of special contemporary issues for Empire to analyze and document in its next integrated resource planning (“IRP”) annual update report.

**Objections**

1. OPC’s “primary suggestion” is for Empire to “analyze and respond to the viability and relevance of including scenario-based planning (or Utility Scenario Planning) as either a subsection of future Integrated Resource Plans (IRPs) or as a complementary stand-alone piece to be submitted in conjunction with the IRP.”

The purpose of the special contemporary issues lists is to ensure that evolving regulatory, economic, financial, environmental, energy, technical, or customer issues are adequately addressed by each utility in its electric resource planning. 4 CSR 240-22.080(4). In line with the stated purposes of the Commission's IRP rules, each utility should keep its stakeholders updated and informed regarding changing conditions and factors. The Commission's IRP rules are comprehensive and prescribe a complex, costly, and detailed planning process for each utility. Stakeholders should not be allowed to expand upon these IRP rules simply by labeling items as "special contemporary issues."

With its September 15<sup>th</sup> filing herein, OPC did not provide a list of suggested special contemporary issues for Empire to consider for its next IRP annual update as prescribed by the IRP rule. Instead, OPC has suggested a modeling approach – scenario-based planning. It appears that OPC is attempting to use this docket to expand the IRP modeling requirements. Empire will be preparing an annual update report in 2015 (not a triennial compliance filing). The imposition of additional modeling requirements is outside the scope of an annual update and is outside the scope of this special contemporary resource planning issues docket.

2. Empire also objects to Staff Issue f: "Analyze and document the range of potential levels of distributed generation in the Company's service territory for the 20-year planning horizon and the potential impacts of each identified level of distributed generation, and in particular distributed solar generation, on the Company's preferred resource plan. The potential impacts should quantify both the amount of electrical energy the distributed generation is expected to provide to the grid and the amount of electrical energy that the distributed generation customers are expected to consume on site that will offset the amount that the Company would normally provide to those customers." Staff's requested analysis for the 20-year planning

horizon is not consistent with the scope of an annual update and is outside the scope of this special contemporary resource planning issues docket.

3. Lastly, Empire objects to DE issue 4: “Investigate and analyze the change in load that Empire anticipates will be effected by increased electric vehicle use. Please consider any applicable federal or state incentives (e.g., the recent passage of MO SB 729) in this context.”

As noted, special contemporary issues listed by the Commission in this docket will be analyzed and documented in Empire’s 2015 annual update report (and not in a triennial compliance filing). The scope of an annual update must be less than the scope of a full triennial compliance filing. With its 2015 annual update, Empire will not be producing a set of long-range load forecasts, but rather will be reporting on changes to the load forecast from its regular business planning process which covers a five year forecast period.

Analysis of the impact on load of the use of electric vehicles (which may be an alternate resource plan in a triennial compliance planning and not a part of the standard long-range forecasts) is outside the scope of the annual update and is outside the scope of this special contemporary resource planning issues docket.

### **Comments**

Empire’s additional comments regarding the special contemporary issues suggested by Staff and DE are set forth on the attached Exhibit A. In general, Empire urges the Commission to apply a reasonableness standard in arriving at its list of special contemporary issues to be set forth in the Commission’s order to be issued by November 1, 2014. To be a “special contemporary issue,” the issue should be reasonably related to Empire’s resource planning, but should not already be explicitly or significantly covered or contemplated by the IRP rules. A suggested issue also should not be a repeat of past special contemporary issues that have already been adequately addressed by Empire in prior dockets.

The list of special contemporary issues ordered by the Commission for consideration by Empire in its upcoming annual update report should be straightforward, specific to Empire and its planning process, and appropriately limited in number and scope, so that the issues may be adequately analyzed and the Company's resources used wisely.

WHEREFORE, Empire respectfully submits its objections and comments regarding the special contemporary resource planning issues suggested by Staff, OPC, and DE. Empire requests such relief as is just and proper under the circumstances.

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

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**Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail on this 1<sup>st</sup> day of October, 2014, to all counsel of record.

/s/ Diana C. Carter